

From: Bryan Carpenter
To: Microsoft ATR
Date: 1/23/02 10:30am
Subject: Microsoft Settlement

I am writing even though I have repetitive stress injuries to my shoulders and wrists that make it somewhat painful for me to do so. I feel that Microsoft's free-market-stifling behavior over a significant number of years has had a disastrous effect on the ability of innovative Americans to access the American dream which is supposed to allow an individual to create a better way of doing something, expose his or her creation to consumers, price it at a level that gives it a competitive advantage, and make a good living from the effort.

I am a software developer, and my wife is a law student who in her mid-forties is working on her second career after being a mostly-full-time mom for 15 years. Both of us have significant difficulties almost daily with the Microsoft software that we need to use to accomplish our daily work. The reason we have these difficulties is simply that Microsoft doesn't care enough to get things really right. They don't have to. So users go on year after year getting by with poorly-written software while Microsoft moves on to the next field that they want to concentrate on monopolizing.

How does this relate to the proposed settlement? The reason why we have to keep using MS software even though it is often maddening is because MS has effectively squashed the ability of new innovators to have a chance to build their success by creating a better product and exposing real users to its advantages.

I am a rabid advocate of free-market economics, but just as a professional football game would turn to mush and be uninteresting in the absence of rules and referees, a free-market economy also needs rules and referees. Microsoft is the equivalent of a football player who uses illegal tactics to seriously injure, maim, and kill opposing players while the refs only call him for occasional minor penalties and never really give him a reason to change his approach to the game.

Although there are many problems with the proposed Microsoft settlement, I would like to concentrate on the continued ability of Microsoft to retaliate and/or apply leverage to the OEM's that are dependent on MS for the operating system that they realistically have to have in order to sell the bulk of their computers. MS should not be able to exert any leverage over these OEM's to keep them from adding non-MS features and/or products to the computers they sell. Sections III.A.2 and III.B of the proposed settlement have significant deficiencies that allow MS to continue to strongarm the OEM's that buy from them and therefore prevent innovation that has the potential to weaken their monopoly.

I strongly advocate that my Federal government do more than slap Microsoft on the wrist at this critical juncture. This is really the last opportunity to keep MS from becoming the sole dictator of the majority of American's opportunities to innovate and succeed in the computer/Internet field.

Sincerely,

Bryan Carpenter
2345 Lake Drive
Loveland, CO 80538

Do You Yahoo!?
Send FREE video emails in Yahoo! Mail!
<http://promo.yahoo.com/videomail/>